

Department of Justice

§0.171

over a proposed settlement that cannot be resolved below the Assistant Attorney General level must be presented to the Assistant Attorney General for resolution.

(b) Redelegations of authority under this section shall be in writing and shall be approved by the Deputy Attorney General or the Associate Attorney General, as appropriate, before taking effect.

(c) Existing delegations and redelegations of authority to subordinate division officials and United States Attorneys to compromise or close civil claims shall continue in effect until modified or revoked by the respective Assistant Attorneys General.

(d) Subject to the limitations set forth in §0.160(c) and paragraph (a) of this section, redelegations by the Assistant Attorneys General to United States Attorneys may include the authority to:

(1) Accept offers in compromise of claims asserted by the United States in all cases in which the gross amount of the original claim does not exceed \$5,000,000 and in which the difference between the original claim and the proposed settlement does not exceed \$1,000,000; and

(2) Accept offers in compromise of, or settle administratively, claims against the United States in all cases in which the principal amount of the proposed settlement does not exceed \$1,000,000.

[Order No. 1958-95, 60 FR 15675, Mar. 27, 1995]

§0.169 Definition of “gross amount of the original claim”.

The phrase *gross amount of the original claim*, as used in this subpart Y and as applied to any civil claim brought under section 592 of the Tariff Act of 1930, as amended (see §0.45(c)), shall mean the actual amount of lost customs duties involved. In nonrevenue loss cases brought under section 592 of the Tariff Act of 1930, as amended, the phrase “gross amount of the original claim” shall mean the amount demanded in the Customs Service’s mitigation decision issued pursuant to 19 U.S.C. 1618, or, if no mitigation decision has been issued, the “gross amount of the original claim” shall

mean twenty percent of the dutiable value of the merchandise.

[Order No. 1149-86, 51 FR 31940, Sept. 8, 1986]

§0.170 Interest on monetary limits.

In computing the gross amount of the original claim and the amount of the proposed settlement pursuant to this subpart Y, accrued interest shall be excluded.

§0.171 Judgments, fines, penalties, and forfeitures.

(a) Each United States Attorney shall be responsible for conducting, handling, or supervising such litigation or other actions as may be appropriate to accomplish the satisfaction, collection, or recovery of judgments, fines, penalties, and forfeitures (including bail bond forfeitures) imposed in his district, unless the Assistant Attorney General, or his delegate, of the litigating division which has jurisdiction of the case in which such judgment, fine, penalty or forfeiture is imposed notifies the United States Attorney in writing that the division will assume such enforcement responsibilities.

(b) Each U.S. Attorney shall designate an Assistant U.S. Attorney, and such other employees as may be necessary, or shall establish an appropriate unit within his office, to be responsible for activities related to the satisfaction, collection, or recovery, as the case may be, of judgments, fines, penalties, and forfeitures (including bail-bond forfeitures).

(c) The Director of the Executive Office for United States Attorneys shall be responsible for the establishment of policy and procedures and other appropriate action to accomplish the satisfaction, collection, or recovery of fines, special assessments, penalties, interest, bail bond forfeitures, restitution, and court costs arising from the prosecution of criminal cases by the Department of Justice and the United States Attorneys. He shall also prepare regulations required by 18 U.S.C. 3613(c), pertaining to the application of tax lien provisions to criminal fines, for issuance by the Attorney General.

(d) The United States Attorney for the judicial district in which a criminal monetary penalty has been imposed